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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/337,243	06/22/1999	SCOTT D. MAURER	117077-4	8744

21324 7590 05/24/2005
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EXAMINER

SAFAVI, MICHAEL

ART UNIT PAPER NUMBER

3673

DATE MAILED: 05/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Applicant's remarks within the response filed April 25, 2005 have been noted. However, it is not understood as to what Applicant wishes to set forth by the statement at paragraph 1, (lines 3-5), on page 2 of the response. Examiner wishes to point out that Applicant did not at any time during the prosecution of the instant application set forth any applications "material to patentability". In particular, Applicant had not apprised the Office of U.S. application 10/312,167 or PCT application PCT/US00/17102 either of which may have been or may be "material to patentability". See MPEP § 2001.06(b) and MPEP § 2004, paragraph 9. And, it is not clear as to what Applicant is establishing in either of paragraphs 2 and 3 on page 2 of the response filed April 25, 2005. Paragraph 2 appears only to repeat what is apparently of record while Applicant has not set forth what bearing the statement in paragraph 3 has upon the instant application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Safavi whose telephone number is (571) 272-7046. The examiner can normally be reached on Mon.-Thur., 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Shackelford can be reached on (571) 272-7049. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



M. Safavi
May 15, 2005

**MICHAEL SAFAVI
PRIMARY EXAMINER
ART UNIT 354**

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